

# Pro Se Litigant Proceeding in Forma Pauperis

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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

OBED BROWN,

Plaintiff,

V.

EXPRESS SCRIPTS,

Defendant.

Case No. 4:17-cv-00866 HEA

**PLAINTIFF FIRST RESPONSE TO ADMISSION  
REQUEST**

1. Admit that, during your employment with Express Scripts in 2015, you used profanity in the workplace.

Answer: At this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

2. Admit that, during your employment with Express Scripts in 2015, you made comments about sexual topics in the workplace.



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Answer: At this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

3. Admit that one or more of your coworkers complained about you making inappropriate remarks in the workplace.

Answer: At this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

4. Admit that the document attached as Exhibit A is a true and correct copy of your 2014 Annual Review, and that you received an overall "Threshold" rating.

Answer: Because I've submitted many exhibits labeled (example A, B, C); at this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

5. Admit that the document attached as Exhibit B is a true and correct copy of your 2015 Annual Review, and that you received an overall "Threshold" rating.

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Answer: Because I've submitted many exhibits labeled (example A, B, C); at this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

6. Admit that you were disciplined for attendance issues during your employment with Express Scripts.

Answer: I don't have any documentation of any written or verbal corrections being presented to me by Express Scripts for attendance, so at this time I must respectfully decline to answer your question, because I don't recall at this time.

7. Admit that you were disciplined for quality issues during your employment with Express Scripts.

Answer: I complained about several retaliatory issues that are covered under the EEOC such as schedule changes, performance evaluations & discriminative behavior, including "continued retaliation".

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8. Admit that Jennifer Green asked you in April or May 2015 whether you were transitioning to female, and you stated that you were not transitioning, but that you enjoyed dressing as a woman.

Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

9. Admit that you agreed to reach out to Jennifer Green or Express Scripts Human Resources if you decided to begin the transition process.

Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

10. Admit that you never told Jennifer Green or anyone in Express Scripts Human Resources that you were transitioning to female.

Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

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11. Admit that Express Scripts made efforts to alleviate issues between you and your co-workers, including changing seating arrangements to place you further from certain coworkers about whom you expressed concerns.

Answer: I complained about several retaliatory issues that are covered under the EEOC such as schedule changes, performance evaluations & discriminative behavior, including “continued retaliation”. Express Scripts changed seating arrangements regularly based off of shift bids. Express Scripts efforts to resolve the issues surrounding Adam Flowers failed when they lied to the EEOC & slandered me on July 26, 2018.

12. Admit that the email attached as Exhibit C is a true and correct copy of an email you sent on April 15, 2015, where you admitted to being “loud” and stated you were “working on it.”

Answer: Because I’ve submitted many exhibits labeled (example A, B, C); at this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.



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13. Admit that you were disciplined for your loud statements at work by Monica Samuels on or about April 15, 2015.

Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

14. Admit that, on or about September 22, 2015, a physician's office complained to Express Scripts that you were rude and loud during a phone call with their office.

Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

15. Admit that you were issued a verbal action by Monica Samuels on or about October 28, 2015.

Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

16. Admit that you admitted to Kristin Robertson on or about November 3, 2015, that you discussed sexual acts with coworkers.

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Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

17. Admit that Kristin Robertson adequately investigated your complaints about Adam Flowers in October 2015, including interviewing several of your coworkers.

Answer: I complained about several retaliatory issues that are covered under the EEOC such as schedule changes, performance evaluations & discriminative behavior, including "continued retaliation". Express Scripts efforts to investigate the issues surrounding Adam Flowers failed when Express Scripts lied to the EEOC & slandered me on July 26, 2018.

18. Admit that Adam Flowers never made any harassing comments to you regarding your sex.

Answer: I complained about several retaliatory issues that are covered under the EEOC such as schedule changes, performance evaluations & discriminative behavior, including "continued retaliation". Express Scripts efforts to resolve the issues surrounding Adam Flowers failed when Express Scripts lied to the EEOC & slandered me on July 26, 2018.

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19. Admit that the St. Louis County Circuit Court dismissed your request for a protective order against Adam Flowers.

Answer: Upon the advice of counsel, I must respectfully decline to answer your question based on my rights under the 5th amendment to the United States Constitution.

20. Admit that, in November 2015, you met with Jenn Morris, Kristin Robertson, and Matt Williams and they outlined expectations that you would not make inappropriate comments in the workplace going forward.

Answer: I complained about several retaliatory issues that are covered under the EEOC such as schedule changes, performance evaluations & discriminative behavior, including "continued retaliation". Express Scripts efforts to resolve the issues surrounding Adam Flowers failed when they lied to the EEOC & slandered me on July 26, 2018. I must respectfully decline to answer your question about additional comments because I don't recall at this time, however I will provide reasonable answers based on presented evidence during discovery.

21. Admit that, on or about December 7, 2015, you stated that another employee "will catch those bullets."



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Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

22. Admit that, on or about December 7, 2015, you made a comment or comments about “going postal.”

Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

23. Admit that, on or about December 7, 2015, you made a comment that if Chiai Powell came around you, she was going to “get killed” and/or get a “beat down.”

Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

24. Admit that, in December 2015, you admitted making inappropriate comments in the workplace on or about December 7, 2015.

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Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

25. Admit that you never complained about a "Kia Williams" during your employment with Express Scripts.

Answer: I complained about several retaliatory issues that are covered under the EEOC such as schedule changes, performance evaluations & discriminative behavior, including "continued retaliation". Express Scripts efforts to resolve the issues surrounding Adam Flowers failed when they lied to the EEOC & slandered me on July 26, 2018. I complained about Kia Williams.

26. Admit that you violated Express Scripts' policies and expectations and such conduct warranted termination.

Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

27. Admit that you are not aware of any similarly situated male employee who was treated more favorably than you.

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Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

28. Admit that you are not aware of any similarly situated female employee who was treated more favorably than you.

Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

29. Admit that you are not aware of any employee of Express Scripts who made similar inappropriate and/or violent comments as you did, whose employment was not terminated.

Answer: At this time I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

30. Admit that you have not suffered any physical or emotional damage or injury, including emotional pain and/or mental anguish, as a result of Express Scripts' conduct.

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Answer: Upon the advice of counsel, I must respectfully decline to answer your question, based on my rights under the Fifth Amendment to the United States Constitution.

31. Admit you have suffered no financial injury and have no documents which reflect any financial injury you suffered as a result of any of Express Scripts' conduct.

Answer: Upon the advice of counsel, I must respectfully decline to answer your question, based on my rights under the Fifth Amendment to the United States Constitution.

32. Admit that you are not entitled to any damages, monetary or otherwise, as claimed in this Action.

Answer: In the original claim filed in March of 2017, I submitted a Request for Relief requesting punitive damages.

33. Admit that you have not mitigated the potential damages in this Action in any way.

Answer: Upon the advice of counsel, I must respectfully decline to answer your question, based on my rights under the Fifth Amendment to the United States Constitution.



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34. Admit that Express Scripts maintained, disseminated, and enforced clear, reasonable, and effective policies against discrimination, harassment and retaliation.

Answer: I complained about several retaliatory issues that are covered under the EEOC such as schedule changes, performance evaluations & discriminative behavior, including “continued retaliation”. Express Scripts efforts to resolve the issues surrounding Adam Flowers failed when they lied to the EEOC & slandered me on July 26, 2018. I must respectfully decline to answer your question about additional comments because I don't recall at this time, however I will provide reasonable answers based on presented evidence during discovery.

35. Admit that your termination from Express Scripts had nothing to do with your sex or complaints of discrimination.

Answer: Under court order, claims against Express Scripts for sex discrimination & retaliation were upheld. I complained about several retaliatory issues that are covered under the EEOC such as schedule changes, performance evaluations & discriminative behavior, including “continued retaliation”. Express Scripts efforts to resolve the issues surrounding Adam Flowers failed when they lied to the EEOC & slandered me on July 26, 2018. I must respectfully decline to answer

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your question about additional comments because I don't recall at this time, however I will provide reasonable answers based on presented evidence during discovery.

36. Admit that Monica Samuels never demonstrated any discriminatory or retaliatory animus toward you.

Answer: I don't have access to Express Scripts secured documents at this time. I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

37. Admit that you were never retaliated against by Monica Samuels for making any complaint of alleged discrimination while employed with Express Scripts.

Answer: I don't have access to Express Scripts secured documents at this time. I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

38. Admit that you were never discriminated against by Monica Samuels for your sex while employed with Express Scripts.

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Answer: I don't have access to Express Scripts secured documents at this time. I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

39. Admit that Andre Edison never demonstrated any discriminatory or retaliatory animus toward you.

Answer: I worked in the Department of Defense for Express Scripts. I don't recall anyone by the name of Andre Edison being on the schedule or shift bid for DOD. At this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

40. Admit that you were never retaliated against by Andre Edison for making any complaint of alleged discrimination while employed with Express Scripts.

Answer: I worked in the Department of Defense for Express Scripts. I don't recall anyone by the name of Andre Edison being on the schedule or shift bid for DOD. At this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

41. Admit that you were never discriminated against by Andre Edison for your sex while employed with Express Scripts.

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Answer: I worked in the Department of Defense for Express Scripts. I don't recall anyone by the name of Andre Edison being on the schedule or shift bid for DOD. At this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

42. Admit that Michale Holiday never demonstrated any discriminatory or retaliatory animus toward you.

Answer: I worked in the Department of Defense for Express Scripts. I don't recall anyone by the name of Michale Holiday being on the schedule or shift bid for DOD. At this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

43. Admit that you were never retaliated against by Michale Holiday for making any complaint of alleged discrimination while employed with Express Scripts.

Answer: I worked in the Department of Defense for Express Scripts. I don't recall anyone by the name of Michale Holiday being on the schedule or shift bid for DOD. At this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.



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44. Admit that you were never discriminated against by Michale Holiday for your sex while employed with Express Scripts.

Answer: I worked in the Department of Defense for Express Scripts. I don't recall anyone by the name of Michale Holiday being on the schedule or shift bid for DOD. At this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery

45. Admit that Lisa Roberson never demonstrated any discriminatory or retaliatory animus toward you.

Answer: I don't recall who Lisa Roberson is at this time. Upon the advice of counsel, I must respectfully decline to answer your question, based on my rights under the Fifth Amendment to the United States Constitution.

46. Admit that you were never retaliated against by Lisa Roberson for making any complaint of alleged discrimination while employed with Express Scripts.

Answer: I don't recall who Lisa Roberson is at this time. Upon the advice of counsel, I must respectfully decline to answer your question, based on my rights under the Fifth Amendment to the United States Constitution.

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47. Admit that you were never discriminated against by Lisa Roberson for your sex while employed with Express Scripts.

Answer: I don't recall who Lisa Roberson is at this time. Upon the advice of counsel, I must respectfully decline to answer your question, based on my rights under the Fifth Amendment to the United States Constitution.

48. Admit that Leslie Smith never demonstrated any discriminatory or retaliatory animus toward you.

Answer: I complained about several discriminatory & retaliatory issues throughout my entire employment at Express Scripts that are covered under the EEOC; such as schedule changes, performance evaluations & discriminative behavior, including "continued retaliation". Express Scripts efforts to resolve the issues surrounding Adam Flowers failed when they lied to the EEOC & slandered me on July 26, 2018. At this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

49. Admit that you were never retaliated against by Leslie Smith for making any complaint of alleged discrimination while employed with Express Scripts.

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Answer: I complained about several discriminatory & retaliatory issues throughout my entire employment at Express Scripts that are covered under the EEOC; such as schedule changes, performance evaluations & discriminative behavior, including “continued retaliation”. Express Scripts efforts to resolve the issues surrounding Adam Flowers failed when they lied to the EEOC & slandered me on July 26, 2018. At this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

50. Admit that you were never discriminated against by Leslie Smith for your sex while employed with Express Scripts.

Answer: I complained about several discriminatory & retaliatory issues throughout my entire employment at Express Scripts that are covered under the EEOC; such as schedule changes, performance evaluations & discriminative behavior, including “continued retaliation”. Express Scripts efforts to resolve the issues surrounding Adam Flowers failed when they lied to the EEOC & slandered me on July 26, 2018. At this time, I must respectfully decline to answer your question, because I don't recall, however I will provide reasonable answers based on presented evidence during discovery.

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51. Admit that, at all times, Express Scripts' treatment of you, including the decision to end your employment, was based only upon legitimate, lawful factors and was not a pretext for illegal discrimination or retaliation.

Answer: Under court order, claims against Express Scripts for sex discrimination & retaliation were upheld. I complained about several retaliatory issues that are covered under the EEOC such as schedule changes, performance evaluations & discriminative behavior, including "continued retaliation". Express Scripts efforts to resolve the issues surrounding Adam Flowers failed when they lied to the EEOC & slandered me on July 26, 2018. I must respectfully decline to answer your question about additional comments because I don't recall at this time, however I will provide reasonable answers based on presented evidence during discovery.

52. Admit that you have no documents that support your sex discrimination and retaliation claims.

Answer: Under court order, claims against Express Scripts for sex discrimination & retaliation were upheld based off the original claim filed in March of 2017. To my knowledge the court's decision to uphold sex discrimination & retaliation claims against Express Scripts was based off the proper due process in the 14th Amendment to the United States Constitution.



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53. Admit you have no evidence that Express Scripts, or any Express Scripts employee, discriminated against you based on your sex.

Answer: Under court order, claims against Express Scripts for sex discrimination & retaliation were upheld based off the original claim filed in March of 2017. To my knowledge the court's decision to uphold sex discrimination & retaliation claims against Express Scripts was based off the proper due process in the 14th Amendment to the United States Constitution.

54. Admit you have no evidence that Express Scripts, or any Express Scripts employee, retaliated against you for your complaints of discrimination.

Answer: Under court order, claims against Express Scripts for sex discrimination & retaliation were upheld based off the original claim filed in March of 2017. To my knowledge the court's decision to uphold sex discrimination & retaliation claims against Express Scripts was based off the proper due process in the 14th Amendment to the United States Constitution.

55. Admit you have never heard any employee of Express Scripts make a derogatory remark about your sex.

Answer: Under court order, claims against Express Scripts for sex discrimination & retaliation were upheld based off the original claim filed in March of 2017. To my

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knowledge the court's decision to uphold sex discrimination & retaliation claims against Express Scripts was based off the proper due process in the 14th Amendment to the United States Constitution.

Respectfully submitted,

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### CERTIFICATE OF SERVICE

The undersigned certifies that on the May 30th, 2018, a true copy of the foregoing was served via electronic mail and U.S. mail, postage prepaid, to the following:

Eric A. Todd, #46919MO  
7700 Bonhomme Avenue, Suite 650  
St. Louis, Missouri 63105

Attorney for Defendant

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Plaintiff